

REMARKS

This is in full and timely response to the above-identified Office Action. The above listing of the claims replaces all prior versions, and listings, of claims in the application. Reexamination and reconsideration in light of the proposed amendments and the following remarks are respectfully requested.

Status of Claims:

In this response, independent claim 1 has been amended via the inclusion of the subject matter of claim 6.

New claims 34-37 have been added.

Claim 6 has been canceled.

Claim Rejections – Prior Art:

In the Office Action, claims 1-6, 8-10, 12, 16-18, 20-25, 28-29 and 31 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,198,394 to Jacobsen et al.; and claims 11, 13-15, 19, 26-27 and 32-33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Jacobsen et al. in view of U.S. Patent No. 6,769,010 to Lewis et al. These rejections are traversed with respect to the presently pending claims under rejection, for at least the reasons given below.

In its rejection of claim 6 (whereby those features are now incorporated into presently pending independent claim 1), the Office Action asserts that column 16, lines 24-28 of Jacobsen et al. discloses a pick-up antenna in which the power is supplied by an external RF field received by the antenna. Applicant respectfully disagrees with this assertion. Namely, column 16, lines 24-28 of Jacobsen et al. discloses that the sensor probe has a battery 644 and a micro-computer 650, as well as a plurality of solar conversion panels 654 that may be used to supplement the power supply and extend the length of the battery.

With all due respect, solar conversion panels do not correspond in any way, shape or form to a pick-up antenna that receives power by way of an external RF field received by the antenna. Sunlight is not in the RF range, and thus cannot correspond to the claimed subject matter.

Accordingly, presently pending independent claim 1 is not anticipated by Jacobsen et al.

With respect to the rejection of independent claim 25, the Office Action asserts that column 16, lines 24-28 and Figure 4A of Jacobsen et al. discloses that each sensing device includes a power source selected from the group consisting of a battery, a solar cell, an RF tag module and an IR tag module. Applicant respectfully disagrees with this assertion.

In particular, while column 16, line 24-28 and Figure 4A of Jacobsen et al. disclose a sensor probe that includes sensors and a battery and solar conversion panels, these elements are separate and distinct from one another, whereby Jacobsen et al. does not disclose or suggest that his batter or his solar conversion panels are a part of his sensing devices.

Accordingly, claim 25 is not anticipated by Jacobsen et al.

It is also noted that Lewis et al., the other reference cited in the Office Action, was not cited against claims 1 and 25, and in any event it does not rectify the above-mentioned shortcomings of Jacobsen et al.

New Claims:

New claims 34-37 have been added to recite additional features of the present invention that are believed to provide a separate basis for patentability of those claims. Support for new claims 34 and 35 may be found, for example, on pages 31 and 32 of the specification. Support for new claim 36 may be found, for example, on page 16 of the specification.

New independent claim 37 is directed to a wearable device for detection of a biological or chemical warfare agent, and is believed to patentably distinguish over the cited art of record.

Conclusion:

Therefore, for the reasons given above, since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, this application is believed to be in condition for allowance, and an early indication of allowance is earnestly solicited.

Respectfully submitted,

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